



United States Department of the Interior

NATIONAL PARK SERVICE

Pacific West Region
1111 Jackson Street, Suite 700
Oakland, California 94607-4807



IN REPLY REFER TO:

A 7221 (PWR-PA)

OCT 15 2010

Kevin and Nancy Lunny
Drakes Bay Oyster Company
17171 Sir Francis Drake Boulevard
Inverness, CA 94937

Dear Mr. and Mrs. Lunny:

This is in response to your letter to Point Reyes National Seashore Superintendent Cicely Muldoon dated September 8, 2010. The National Park Service is treating your request as a Freedom of Information Act (FOIA) request. And the park forwarded your request to this office as required when it is necessary to withhold any documents or redact any information. The Department of the Interior tracking number for this request is NPS-2010-1048. Please include this number in any future correspondence regarding your request.

You requested a variety of information regarding overflight data at Point Reyes National Seashore and additional information regarding the use of video cameras. Park staff have located all records responsive to your request and they are enclosed. Regarding your questions about a video camera under the Research and Collection Permit PORE-2010-SCI-0019, the student initiated work under this permit in February 2010, but abandoned the proposed research shortly thereafter due to injury. The student did not deploy or collect video information. The student has chosen to discontinue the proposed research therefore, the research and collection permit has been cancelled.

Certain records have personal information redacted, including information related to a graduate student who is not an NPS employee. The Department maintains that the individual identified in the records has privacy interests in withholding this information. We do not perceive, nor have you enunciated, any public interest that would be served in disclosing this data, which would outweigh the privacy interests of the subject individual. The release of the individual's name, address, telephone number, and/or electronic mail address would be a violation of their privacy. Therefore, we are withholding this information under exemption 6 of the FOIA (5 U.S.C. 552(b)(6)), which permits an agency to withhold "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy."

If you consider this response a denial, you have the right to appeal this decision by writing to the Freedom of Information Act Appeals Officer, Department of the Interior, 1849 C Street NW, MS-7456, MIB, Washington, D.C. 20240. Your appeal must be in writing and received no later than 30 workdays after the date of this letter. A copy of your original request and this letter should accompany the appeal as well as a brief statement of the reasons why you believe this initial decision to be in error. The appeal should be marked "Freedom of Information Appeal" both on the envelope and the face of the letter.

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Alternatively, as part of the 2007 OPEN Government Act FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and federal agencies as a nonexclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services (OGIS)
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001

E-mail: ogis@nara.gov
Phone: 301-837-1996
Fax: 301-837-0348
Toll-free: 1-877-684-6448

In addition to myself, Attorney Advisor Deborah Bardwick and FOIA Officer Kevin Killeen participated in this decision. If you have questions about the processing of your FOIA request, Kevin can be reached at 206-220-4051.

Sincerely,



Christine S. Lehnertz
Regional Director, Pacific West Region

Enclosure

cc: Cicely Muldoon, Superintendent, Point Reyes National Seashore